



PALM BAY POLICE DEPARTMENT  
OFFICE OF PROFESSIONAL STANDARDS

INTEROFFICE MEMORANDUM

**TO** Douglas Muldoon, Chief of Police

**FROM** Tim Landers Sergeant

**DATE** April 16, 2013

**SUBJ** Administrative review for DR 13-003158

**Summary**

Corporal Graves discharged his department issued firearm at an aggressive adult pit bull dog that charged him in a threatening manner

**Investigation**

*The following information was compiled from observations at the scene of the accidental shooting and/or a review of the written reports, interviews, etc.*

On April 10, 2013 at approximately 22.00 hours Corporal Graves and Officer J Hill were in the area of 1301 Vander St Palm Bay, Florida searching for an individual who had fled on foot from a traffic stop. As both officers walked around the south side of 1301 Vander an aggressive pit bull emerged and began to approach them in a manner they believed would do them harm. Corporal Graves discharged one round in the direction of the dog. The dog retreated back inside the residence and it was later determined the dog was not struck by the round. Officer J Hill observed the round strike the ground next to the dog. According to Sergeant B Williams the round was accounted for as it was fired into the ground and there were no persons in or near the vicinity of the incident. Animal Control Services was contacted in order for them to follow up on the loose dog and his aggressive demeanor.

**Conclusion**

It is the opinion of the Office of Professional Standards that the involved officer reacted appropriately and within Palm Bay Police Department policy **G.O 201.3(A)(1) Use of force in defense of person**. An officer or DBS is justified in the use of deadly force only if they reasonably believe that such force is necessary to prevent imminent death or great bodily harm to themselves or another or to prevent the imminent commission of a violent felony.



**PALM BAY POLICE DEPARTMENT  
OFFICE OF PROFESSIONAL STANDARDS**

**INTEROFFICE MEMORANDUM**

**TO** Douglas Muldoon, Chief of Police

**FROM** Tim Landers, Sergeant

**DATE** May 10, 2013

**SUBJ:** Administrative review for BCSO Case Number 13 119673

**Summary:**

Agent Millan Valdes discharged his firearm on duty while acting in the capacity as an agent for the Brevard County Sheriff's Office. Agent Valdes is assigned to the [REDACTED] and was assisting in serving a search warrant at a location in Cocoa, Florida. Agent Valdes discharged two rounds at an aggressive pit bull dog that was charging him in an aggressive manner.

**Investigation**

*The following information was compiled from observations at the scene of the accidental shooting and/or a review of the written reports, interviews, etc*

On May 3, 2013 at approximately 1825 hours Agent Valdes was in the area of 630 Moore Road, Cocoa, Florida assisting the Brevard County Sheriff's Office in serving a high risk search warrant. Agent Valdes exited his unmarked vehicle to help another law enforcement officer (Agent Holland) secure three male suspects outside of the residence to be searched. As Agent Valdes exited his vehicle he was confronted by a large aggressive pit bull that began to charge him. Agent Valdes discharged two rounds in the direction of the pit bull but did not strike the dog. He then immediately began to assist Agent Holland in capturing and securing the three male subjects. The pit bull in question turned and ran away from Agent Valdes. Both rounds fired impacted the ground and there were no other person(s) in the immediate area that could have been hit by either round. It is to be noted that on the opposite side of the search residence, SWAT members from the Brevard County Sheriff's Office also had to engage another pit bull dog via the discharge of their firearms. That pit bull was struck numerous times and died on scene.

**Conclusion:**

It is the opinion of the Office of Professional Standards that the involved officer reacted

appropriately and within Palm Bay Police Department policy **G.O 201.3(A)(1) Use of force in defense of person-** An officer or DBS is justified in the use of deadly force only if they reasonably believe that such force is necessary to prevent imminent death or great bodily harm to themselves or another or to prevent the imminent commission of a violent felony



**PALM BAY POLICE DEPARTMENT**  
**Executive Division**

**INTEROFFICE MEMORANDUM**

**TO**           **Chief Doug Muldoon**

**FROM.**       **Sgt. Christian Van Zandt, Internal Affairs**

**DATE**          **September 19, 2014**

**SUBJ**           **Administrative Investigation into Non-Contact Shooting August 20, 2014**

This memo is being submitted in accordance with General Order 225 6 (A) On August 20, 2014, at 1930, I was called out to 850 Hamm Street NW in regards to the shooting of a canine by Officer M Rogers, #33 (DR# 14-008122)

On arrival I made contact with Officer Rogers and reviewed the scene Based on her account, the account of bystanders, and the physical evidence noted it was apparent that as Officer Rogers approached the home on a call for service that a large pit bull jumped over a baby gate at the front door He then rushed towards her, growling and baring his teeth With no other option to protect herself Officer Rogers discharged her handgun twice, striking the canine with both shots and thwarting his attack Due to the tall grass and debris neither the cartridge casings, nor the projectiles that traveled through and through on the dog, were recovered The wounds on the animal did confirm that the rounds were fired at a steep angle or straight down, supporting Officer Rogers account of the incident regarding the proximity of the canine This trajectory also indicates that there was little danger of an innocent bystander being struck by stray projectiles.

Based on my investigation it appears that Officer Rogers exercised poise and control in this event, discharged her firearm as a last resort and did so in a safe and prudent manner There were no violations of policy revealed in the investigation of this incident